



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,458	07/31/2000	Phillip C. Keslin	15-4-1034.00	5371

26111 7590 02/20/2004

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
----------	--------------

2676

11

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,458

Applicant(s)

KESLIN, PHILLIP C.

Examiner

Greg Cunningham

Art Unit

2676

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 6-21 is/are allowed.
6) ☒ Claim(s) 1-5 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications of amendment received 11/14/2003.
2. The disposition of the claims is as follows: claims 1-21 are pending in the application. Claims 1, 6 and 15 are independent claims. Claims 6-21 were previously allowed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102(a) as being disclosed by Narasimhan et al, (U.S. Patent Number 6,446,192), hereafter Narasimhan.
 - A. Claim 1, “A system for providing a client ... to said graphics rendering resources” is disclosed in col. 3, lns. 13-25; col. 6, ln. 30 – col. 7, ln. 30; and col. 8, ln. 64 – col. 9, ln. 20. Wherein “an application at the server” resides at the client/network interface chip server.
 - B. Claim 2, “The system of claim 1, wherein said remote rendering ... transparent interface ... said graphics rendering session” is disclosed supra for claim 1 and in furthermore in col. 11, lns. 5-6.
 - C. Claim 4, “The system of claim 1, wherein said remote rendering ... modified graphics instructions ... said client” is disclosed supra for claim 1 and furthermore in col. 5, lns. 32-45. Wherein activation of controls and buttons corresponds to “modified graphics instructions”.

Art Unit: 2676

D. Claim 5, "The system of claim 1, wherein said remote rendering control system receives graphics instruction from a graphics application program" is disclosed supra for claim 1.

Wherein the java applet corresponds to the "graphics application program".

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narasimhan et al, (U.S. Patent Number 6,446,192), hereafter Narasimhan, as applied to claim 1 above, and further in view of Parsons et al., (U.S. Patent Number 6,085,247), hereafter Parsons.

A. Narasimhan discloses claim 3, "The system of claim 1, wherein said remote rendering ... data compression ... to said client" is disclosed supra for claim 1. However Narasimhan does not appear to disclose "wherein said remote rendering ... data compression ... to said client", but Parsons does in col. 8, lns. 43-46 at "Additionally, a protocol driver (PD) may be layered between the WD and TD to provide additional features such as compression, reliable data flow, encryption and framing." (The system of claim 1, wherein said remote rendering control system comprises a data compression module that compresses said image data prior to sending said image data to said client).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply client/server graphics rendering disclosed by Narasimhan in

Art Unit: 2676

combination with compression disclosed by Parsons, and motivated to combine the teachings because it is commonly employed in client/server applications.

Allowable Subject Matter

7. Claims 6-21 are allowed.

The reasons for the indication of allowable subject matter was given in a prior office action.

Response to Arguments

8. With regard to claim 1, Narasimhan discloses in cited col. 3, lns. 9-16 that “the network interface chip of the present invention provides complete internet enablement without any expensive web server machine. The chip alone is a fully functional internet node, including a web server”. Although the network interface chip is not an “expensive web server machine”, it is never the less a server by way of “a fully functional internet node, including a web server”.

Now in col. 3, lns. 20-23: “The chip also supports Java and standard network security techniques. Because this single chip is the only link between the remote device and the Internet, it provides an extremely simple and inexpensive solution to remote monitoring and control.”

Now also recall in col. 8, lns, 64-66: “Java based control uses Java Applets and the client's JVM to implement the client user interface and communications between the client and network interface chip server.”

So now the network interface chip acts as the server running or executing Java, which it supports and the remote device acts as the client running Java Applets. While it is true that the

Art Unit: 2676

Java Applets execute on the remote client's JVM, the server side (network interface chip) of the client-server communications and data exchange runs and executes applications to support this two-way communication. For example in col. 6, ln. 30 – col. 7, ln. 30, lists many applications and protocols employed by the network interface chip (server side); i.e. standard TCP/IP, DLL, HTTP, SMTP, PPP, UDP, HTML, FTP and of course Java.

Furthermore using the standard internet protocols (TCP/IP, DLL, HTTP, SMTP, PPP, UDP, HTML, FTP) communication between the server side (network interface chip) and client (remote) as exemplified in col. 9, lns. 21 – col. 10, ln. 54.

Further still is employing an API (application program interface) on the network interface chip (server) as exemplified in brief in col. 11, lns. 3-9.

With regard to claims 2 and 4, these are anticipated by Narasimhan for at least the above reasons given for claim 1. Moreover claim 4, in col. 5, lns. 32-45; and col. 9, lns. 8-20. Wherein a request from the remote (client), to the networking interface chip (server) for a simple query of a value, or a request to change a value implies that the updated graphical information is communicated back to the client from the server "data exchange".

With regard to claim 5, for at least using GUI (col. 8, lns. 55-63) and exchanging data via API (col. 4, lns. 4-10) satisfies the elements of claim 5.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2676

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Responses

10. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9314 may be used for formal communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Art Unit: 2676

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

J.F. Cunningham

gfc

February 13, 2004

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600